



**Testimony of Shannon Quinby, Eastern Regional Director
Preventing Tobacco Addiction Foundation/Tobacco 21
House Judiciary Committee – Michigan State Legislature
Regarding House Bills 6108 & 6109
June 7, 2022**

Dear Chairman Filler and Committee Members,

The Preventing Tobacco Addiction Foundation/Tobacco 21 applauds the intent of House bills 6108 and 6109 to raise the age for tobacco sales in Michigan to 21 to align with the federal age. However, as the bills are tie-barred to problematic Senate bills and, as drafted, do not go far enough to include enforcement of the new tobacco age, we are opposed to the bills.

The national Tobacco 21 organization has worked on dozens of Tobacco 21 ordinances and bills across the country for more than two decades. Our organization also worked on the federal legislation that President Trump signed in 2019. That legislation, co-sponsored by Senators Mitch McConnell and Tim Kaine, kept in place a provision in federal law called the *Synar Amendment*. This amendment requires that each state demonstrate compliance with the federal tobacco sales age of 21 to a retailer violation rate of no more than 20 percent annually, or that state risks losing 10 percent of its block grant funding from the Substance Abuse and Mental Health Administration, or SAMHSA. The federal Tobacco 21 law does not require states to pass a Tobacco 21 law but does require states to enforce the age of 21 for tobacco and nicotine product sales.

In 2021, Michigan was awarded more than \$155 Million by SAMHSA. The years 2020 and 2021 were grace period years for retailers as they prepared to enforce the new age of sale AND because of Covid-19, which paused in person FDA inspections. FDA inspections have resumed, however, and Michigan's retailer violation rates have been steadily climbing over the past 5 years. The latest FDA report shows that between January 2021 and June 1, 2022, the statewide retail violation rate had climbed to 42 percent—more than double what is considered permissible by the FDA. This means the state's federal funding is currently at risk unless it can bring these violation rates down.

House bills 6108 and 6109 raise the age of sale for tobacco products in Michigan, but do not address retail enforcement, which is currently inadequate. Therefore, these bills alone won't lower Michigan's retailer violation rates. Further, these bills are tie-barred to other problematic Senate bills.

Our organization is asking this Committee to dissolve the tie-bars in House Bills 6108 and 6109 before they advance to the full House for consideration. Dissolving the tie-bars would demonstrate that this legislation truly has a positive intent for the health and safety of our youth.

Respectfully submitted,

Shannon Quinby
(703) 434-2078
Preventing Tobacco Addiction Foundation/Tobacco 21
5600 Dublin Road | Dublin, OH | 43017
www.tobacco21.org